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C O N F I D E N T I A L MAPUTO 000128

SIPDIS

FOR AF/S - HTREGER, AF/FO, S/WCI, NEA

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TAGS: [PREL](#) [KAWC](#) [MZ](#) [ICC](#)

SUBJECT: MOZAMBIQUE: FM SIMAO ON A SUDAN TRIBUNAL AND IRAQ ELECTIONS

REF: A. STATE 13609

[1](#)B. STATE 12757 AND PREVIOUS

Classified By: Ambassador Helen La Lime, for reasons 1.4 (b,d)

[1](#)1. (C) The Ambassador delivered the demarche on the Sudan tribunal concept (ref A) in the early afternoon of January 26, in a meeting with Foreign Minister Simao. The Foreign Minister responded to the demarche by pointing out that work toward any tribunal "would be difficult" at this juncture because it might discourage involved parties from "finishing the Abuja peace process." In any case, he thought both sides would insist on some sort of amnesty prior to any agreement. In his view, the time to find a way forward on the tribunal issue would be after a peace agreement had been signed, not now.

[1](#)2. (C) Turning to the matter of the ICC's role, he doubted that the Europeans would accept a non-ICC role for any tribunal, since the ICC was "their brainchild." If both the US and the Europeans persisted in forcing the issue now, Mozambique would find itself in the uncomfortable position of "being squeezed from both sides," he said, something he hoped could be avoided. He assured the Ambassador that the matter of punishing those responsible for atrocities would not be forgotten, but reiterated that dealing with them ought to be done at a later, less sensitive stage.

[1](#)3. (C) The Ambassador took the opportunity to underscore for Foreign Minister Simao the importance of the upcoming Iraqi elections (ref B). Simao responded positively by endorsing many of the points made and adding that there was "no alternative" to holding elections at this stage, that elections were "the only solution." He predicted, however, that turnout would be very low. Nonetheless he thought that the elections would help give the government more legitimacy and that those left outside the process, particularly the Sunnis, could be brought into the government after the vote.

[1](#)4. (C) Comment: The Ambassador's call on Simao took place under somewhat unusual circumstances. Earlier in the day the GRM announced that all ministers and governors would be "dismissed" effective midnight January 26, in preparation for the handover to the incoming government of president-elect Guebuza, who will be sworn in on February [1](#)2. Simao suggested that the announcement was really for public consumption only, saying that, in fact, government officials would be at their desks up to the very end. He noted, however, that under these conditions the meeting with the Ambassador was his last official one as Foreign Minister.

LA LIME